

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LONNIE HUCKABONE,

Plaintiff,

v.

ORDER
09-CV-602A

CITY OF JAMESTOWN, NEW YORK, et al.,

Defendants.

The plaintiff, Lonnie Huckabone, is appearing *pro se*. Title 28 U.S.C. § 1654 provides that in federal court, “parties may plead and conduct their own cases personally or by counsel as, by the rules of such courts, respectively, are permitted to manage and conduct causes therein.” The law permits parties only to “plead and conduct their own cases personally,” Id.

Barry Daniel Lindsey has signed a proposed Amended Complaint [13], filed on March 26, 2012, on behalf of plaintiff Huckabone as “legal advisor” and “private counsel.” Mr. Lindsey has not complied with a March 6, 2012 Text Order of the Court [12] directing him to advise the Court as to his status as a member of the bar of this Court and as to related matters, but it appears that he may not have received the Text Order directly. [Dkt. 3/26/2012 Remark]. Moreover, it now appears that Mr. Lindsey may not be an attorney at all.

It is well settled that “an individual who is not licensed as an attorney ‘may

not appear on another person's behalf in the other's cause.' ” Machadio v. Apfel, 276 F.3d 103, 106 (2d Cir.2002) (quoting Iannaccone v. Law, 142 F.3d 553, 558 (2d Cir.1998)). If Mr. Lindsey is not an attorney, he may not appear on behalf of plaintiff Huckabone. Accordingly, Barry Daniel Lindsey is hereby

ORDERED to file in the docket of this case verification that he is an attorney duly admitted to practice law, if he is an attorney, on or before April 12, 2012.

The Clerk shall mail a copy of this Order to Barry Daniel Lindsey, 914 East 2nd Street, Jamestown, New York 14701, and to Lonnie Huckabone at 230 Barrows Street, Jamestown, New York 14701.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: March 28, 2012